

Trees and Greenspace

Points: 10

28.) Government No Net Loss of Trees Policy

Adopt a government no net loss of trees policy for government property.

DESCRIPTION OF MEASURE

The local government has a policy or ordinance stating that there will be no net loss of trees on government property. This policy can determine no net loss using either canopy coverage or the "diameter at breast-height" (DBH) method. The officially adopted policy or ordinance could also include benchmarks for increasing canopy density or DBH measurements. Additionally, clear guidelines are to be established regarding which trees are suitable for replacement and their necessary size.

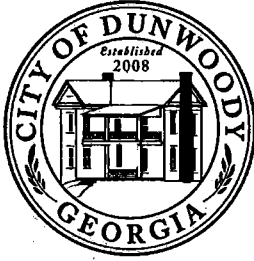
DOCUMENTATION REQUIRED FOR CREDIT

- ☒ A copy of the policy or ordinance with date of adoption
- ☒ A copy of the community's tree coverage goals (no net loss, increasing coverage, etc.)
- ☒ An example of a property where the policy was followed

EXAMPLES OF IMPLEMENTATION

Example #1: The City of Atlanta has enacted a Tree Protection Policy (City Ordinance 07-O-0362) that there will be no net loss of trees within city boundaries. Additionally, the policy states that trees removed from public property must be replaced on an inch per caliper inch basis.





CITY OF DUNWOODY

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Dunwoody, GA 30346

Phone: 678.382.6700 • Fax: 678.382.6701

www.dunwoodyga.gov

MEMORANDUM

To: Atlanta Regional Commission

From: Howard Koontz, City Arborist

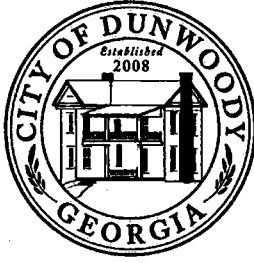
Date: May 14, 2010

Subject: No Net Loss of Trees Policy

At the City Council Meeting on April 26, 2010, the Mayor and City Council adopted the No Net Loss of Trees Policy. The No Net Loss of Trees Policy explicitly states the City's goal of maintaining canopy coverage by replacing any tree that must be removed on city-owned or developed property.

The No Net Loss of Trees Policy furthers the goals of the City of Dunwoody's Tree Protection Ordinance and Tree Preservation Ordinance which are part of Chapter 14 of the City of Dunwoody's Code of Ordinances. The Intent and Purpose of each of these Ordinances have been attached. The full text to the Code of Ordinances is available on the City's website at www.dunwoodyga.gov.

I would be happy to answer any questions you have regarding the City of Dunwoody's No Net Loss of Trees Policy or the City of Dunwoody's tree coverage goals. You can reach me directly by phone at (678) 382-6810 or by e-mail at howard.koontz@dunwoodyga.gov.



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MEMORANDUM

To: Mayor and City Council

From: Sustainability Commission

Date: April 12, 2010

Subject: No Net Loss of Trees Policy

ITEM DESCRIPTION

The Sustainability Commission recommends the City of Dunwoody adopt a No Net Loss of Trees Policy.

BACKGROUND

As part of their pursuit of the Atlanta Regional Commission's Green Communities certification, the Sustainability Commission has been researching No Net Loss of Trees policies. Policies from nearby jurisdictions were reviewed including Atlanta, Athens, and Roswell, as well as jurisdictions as far away as Cranford, New Jersey and Charlotte and Winston-Salem, North Carolina. The Sustainability Commission also reached out the Georgia Forestry Commission to gain additional insight.

The attached policy has been drafted to meet the requirements of the ARC Green Communities Measure 28: Government No Net Loss of Trees Policy.

In summary, the policy would establish guidelines to ensure there will be no net loss of trees on government properties. This policy seeks to prevent loss of canopy coverage as described in City of Dunwoody's Code of Ordinances, Chapter 14 Land Development and Environmental Protection. In cases where trees must be removed, the policy defers to the City Arborist to make suggestions as to an appropriate tree species and appropriate location for replacement trees.

This policy would affect all future maintenance and construction activities in relation to government-owned properties. As this does not amend any current ordinance, but functions as an operating policy, this policy would be read and voted on by Mayor and Council.

RECOMMENDATION

The Sustainability Commission recommends adopting the attached No Net Loss of Trees Policy for the City of Dunwoody.

**STATE OF GEORGIA
CITY OF DUNWOODY**

RÉSOLUTION 2010-04-16

**A RESOLUTION TO ADOPT THE CITY OF DUNWOODY NO NET LOSS OF TREES
POLICY**

WHEREAS, Dunwoody's trees contribute to a clean, healthy environment by removing carbon dioxide from the air and producing oxygen; and

WHEREAS, trees are a vital component of the infrastructure for the City of Dunwoody, providing environmental and economic benefits including reducing the heat island effect caused by pavement and buildings and providing shade and cooling, which lessens energy demands and pollution; and

WHEREAS, protecting the trees along our roads and in our parks is in the best interest of the City of Dunwoody; and

WHEREAS, the City strives to maintain trees in Dunwoody in a healthy and non-hazardous condition through professionally accepted arboricultural practices; and

WHEREAS, the City of Dunwoody seeks to prevent any loss of canopy coverage as described in City of Dunwoody's Code of Ordinances, Chapter 14 Land Development and Environmental Protection; and

WHEREAS, by establishing standards of no net loss in canopy coverage on city-owned property the City of Dunwoody further protects its trees; now

THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Dunwoody, and it is hereby resolved by the authority of the City Council, that the City of Dunwoody No Net Loss of Trees Policy as attached hereto and incorporated herein, is hereby adopted.

SO RESOVLED AND EFFECTIVE this 26th day of April, 2010.

Approved:

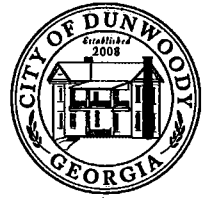


Ken Wright, Mayor

Attest:


Sharon Lowery, City Clerk

Seal



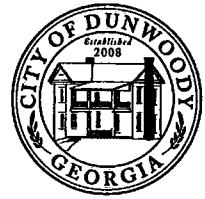
CITY OF DUNWOODY

NO NET LOSS OF TREES

Article

Version 2010.03.30

City of Dunwoody
Policies



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NO NET LOSS OF TREES

I. Purpose

The purpose of this policy is to ensure there will be no net loss of trees on City property. Dunwoody's trees contribute to a clean, healthy environment. As they grow, trees take in carbon dioxide from the air and produce life-giving oxygen. Trees are a vital component of the infrastructure for the City of Dunwoody, providing environmental and economic benefits. Trees in Dunwoody reduce the heat island effect caused by pavement and buildings. Trees provide shade and cooling, which lessens energy demands and pollution. Properly placed trees can increase property values and add to the aesthetic vistas within the City.

Dunwoody's trees face many hazards and hardships including insects, disease, construction, drought, and air pollution. Protecting the trees along our roads and in our parks is in the best interest of the City of Dunwoody. The City strives to maintain trees in Dunwoody in a healthy and non-hazardous condition through professionally accepted arboricultural practices.

The City of Dunwoody seeks to prevent any loss of canopy coverage as described in City of Dunwoody's Code of Ordinances, Chapter 14 Land Development and Environmental Protection. This policy furthers Article II, Section 12 Tree Protection by establishing standards of no net loss in canopy coverage on city-owned property.

II. Definitions

When used in this policy, the following words, terms and phrases, and their derivations, shall be the meaning ascribed to them in this section, except where the context clearly indicates a different meaning.

A. AGENT means an official contracted or subcontracted person who is authorized to act on behalf of the City of Dunwoody and represent their interests.

B. CALIPER means the diameter of a tree trunk, applied only to new or replacement plantings that is taken six inches above the ground for up to and including four-inch caliper size, and twelve inches above the ground for larger sizes.

C. CITY ARBORIST means the Community Development Director or designee of the City of Dunwoody having primary enforcement responsibilities under this policy, and charged with



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the responsibility for approval of all tree removals and tree replacements in the City of Dunwoody required pursuant to this policy.

D. CITY DIRECTOR OF SUSTAINABILITY means the Director of Sustainability or other employee or agent as designated in writing by the City Manager.

E. LANDSCAPE PLAN means a plan that identifies areas of tree preservation and methods of tree protection within the protected zone, as well as all areas or replanting. Within replanting areas, the common and botanical names of the proposed species, the number of plants of each species, the size of all plants, the proposed location of all plants, and any unique features of the plant shall be indicated.

F. OFFICIAL means any elected or appointed person who holds office or serves in a position of public capacity.

G. REVEGETATION means the replacement of trees and landscape plant materials into the minimum required landscape areas, as determined by the Zoning Ordinance, conditions of zoning approval, or the Tree Preservation Ordinance.

H. TREE means any self supporting wood perennial plant which at maturity attains a caliper of four inches or more.

III. Scope

The terms and provisions of this policy shall apply to all public property owned by the City of Dunwoody and subject to city regulations.

A. Permitting for Tree Removal

No person shall directly or indirectly remove or destroy any tree located on public property without obtaining a permit as provided in this section.

1. Permits to remove or destroy trees for new construction, renovation, or demolition on public property shall be obtained by making application to the City Arborist in a form prescribed by the City.
 - a. Applications must be accompanied by a landscape plan showing tree replacements.



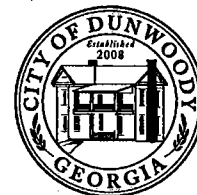
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- b. The replacement trees need not be located in the same parcel as the tree was removed, destroyed or injured. The City Arborist shall consider the entire City for the purposes of eligible areas of replanting.
 - c. The City Arborist shall make suggestions as to an appropriate tree species and appropriate location for replacement trees.
 - d. Replacement tree plantings shall be completed within one calendar year.
 - e. Replacement tree plantings shall be inspected by the City Arborist and verified by the dated signature of the City Arborist on the approved plan.
2. Permits to remove or destroy trees for safety, landscaping, silvicultural, infrastructure maintenance, or other purposes on public property shall be obtained by making application to the City Arborist in a form prescribed by the City.
 - a. The City Arborist shall make suggestions as to an appropriate tree species and appropriate location for replacement trees.
 - b. The replacement trees need not be located in the same parcel as the tree was removed, destroyed or injured. The City Arborist shall consider the entire City for the purposes of eligible areas of replanting.
 - c. Replacement tree plantings shall be completed within one calendar year.
 - d. Replacement tree plantings shall be inspected by the City Arborist.

V. Exceptions

The City of Dunwoody's policy to ensure there will be no net loss of trees on City property is not always practicable. The following situations are exceptions to the No Net Loss of Trees Policy.

- A. If a tree is dead or presents a hazard or danger to health, safety, or welfare of the public, such tree may be removed immediately by the City or the City's agent. Within five working days of said removal, the City or the City's agent must provide a tree removal application to the City Arborist. Revegetation shall follow based on the City Arborist's suggestions as to an appropriate tree species and appropriate location for replacement trees.
- B. If a tree is diseased or insect-infected such tree may be removed after consultation with the City Arborist. Within five business days of said removal, the City of Dunwoody or the City's agent must provide the tree removal application to the City Arborist. Revegetation shall follow based on the City Arborist's suggestions as to an appropriate tree species and appropriate location for replacement trees.



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- C. During a period of any emergency, such as a tornado, ice storm, flood, or any other act of nature, the requirements of this policy may be waived by the City Manager or the City Manager's designee.

VI. Responsibility

A. City Arborist

The City Arborist has primary enforcement responsibilities for this policy and is charged with the responsibility for approval of all tree removal and tree replacement plans for public property in the City of Dunwoody required pursuant to this policy.

DUTIES: The City Arborist shall have the following duties and powers in regards to the No Net Loss of Trees Policy:

1. Communicating with the City Department Heads when a tree could potentially be removed or damaged due to performing essential work duties.
2. Reviewing all plans for tree removal and tree replacement on public property in the City of Dunwoody as required pursuant to this policy.
3. Monitoring and ensuring the success of the No Net Loss of Trees Policy, and when appropriate, working with Administration to assess technical feasibility and/or cost effectiveness.
4. Work with the Director of Sustainability to make certain that employees are aware and educated about this No Net Loss of Trees Policy.

Public Property Tree Removal Application



City of Dunwoody
41 Perimeter Center East
Dunwoody, GA 30346
Phone: (678) 382-6800
Fax: (770) 396-4828

Applicant	Address of Proposed Tree Removal:	
	Contact Name:	
	Company Name:	
	Address:	
Property Owner	Phone:	Fax:
	Email:	
	Owner's Name:	
	Owner's Address:	
Tree(s) to be Removed	Phone:	Fax:
	Email:	
	Tree #1 species:	Diameter* of Tree #1:
	Tree #2 species:	Diameter* of Tree #2:
	Tree #3 species:	Diameter* of Tree #3:
	Tree #4 species:	Diameter* of Tree #4:
	Tree #5 species:	Diameter* of Tree #5:
	Tree #6 species:	Diameter* of Tree #6:
	*Please note the diameter for each tree should be given at 4.5' above ground.	
	Reason for Proposed Tree Removal: <input type="checkbox"/> New Construction <input type="checkbox"/> Renovation <input type="checkbox"/> Demolition <input type="checkbox"/> Landscaping <input type="checkbox"/> Silvicultural <input type="checkbox"/> Infrastructure Maintenance <input type="checkbox"/> Other (please specify):	
Required Sketch of Property Showing Trees to be Removed – attached? (yes / no)		
Authorized Signatures	I understand that the City of Dunwoody's <i>No Net Loss of Trees Policy</i> requires that I maintain canopy coverage by planting replacement trees for those trees removed. Replacement trees need not be located in the same parcel as the tree was removed. Replacement tree planting must be completed within one calendar year and shall be inspected and verified by the City Arborist.	
	Applicant's Name:	Date:
	Applicant's Signature:	
	Property Owner's Name:	Date:
Property Owner's Signature:		

(9) Administrative appeal, judicial review.

(A) *Administrative remedies.* The suspension, revocation, modification or grant with condition of a permit by the City of Dunwoody upon finding that the holder is not in compliance with the approved erosion and sediment control plan; or that the holder is in violation of permit conditions; shall entitle the person submitting the plan or holding the permit to an appeal before the Board of Zoning Appeals pursuant to the procedures and standards set forth in Section 8(c) of this Article.

(B) *Judicial review.* Any person aggrieved by administrative appeals from a decision or order of the Board of Zoning Appeals authorized by Article II, Section 8 subsection (c) of this section shall be as provided for in Article II, Section 8 (d) of this chapter.

(10) Validity and liability.

(A) *Validity.* If any section, paragraph, clause, phrase, or provision of this section shall be adjudged invalid or held unconstitutional, such decisions shall not affect the remaining portions of this section.

(B) *Liability*

(i) Neither the approval of a plan under the provisions of this section, nor the compliance with provisions of this section shall relieve any person from the responsibility for damage to any person or property otherwise imposed by law nor impose any liability upon the City of Dunwoody, its officers or employees for damage to any person or property.

(ii) The fact that a land-disturbing activity for which a permit has been issued results in injury to the property of another shall neither constitute proof of nor create a presumption of a violation of the standards provided for in this section or the terms of the permit.

(iii) No provision of this section shall permit any persons to violate the Georgia Erosion and Sedimentation Act of 1975, the Georgia Water Quality Control Act or the rules and regulations promulgated and approved thereunder or pollute any waters of the State as defined thereby.

Section 12: Tree Protection

(a) Intent and Purpose

(1) **INTENT:** To provide minimum landscape standards for developments in the city so as to enhance architectural features, strengthen vistas and provide shade.

(2) PURPOSE:

- (A) To preserve landscaping in its natural state to the greatest extent possible.
- (B) To promote architectural harmony between buildings, landscaping and the local environs.
- (C) To enhance economic opportunities over the long term by maintaining Dunwoody as an attractive and progressive community for residents, businesses and developers.
- (D) To minimize the adverse impacts of new development on existing land uses.
- (E) To promote xeriscaping, or water-saving techniques where practical.
- (F) To provide environmental benefits such as pollution abatement, erosion and run-off control, energy conservation, minimization of flood hazards and continued maintenance of ecology systems

(b) Definitions

All words used in this ordinance carry their customary dictionary meanings, except where specifically defined herein or in the Dunwoody Zoning Ordinance as amended.

Buildable area: The portion of a lot which is not located within any minimum required yard, landscape area, or buffer, i.e., that portion of a lot wherein a building may be located.

Caliper: An American Association of Nurseryman standard for trunk measurement of nursery stock. Caliper of the trunk shall be taken six (6) inches above the ground for up to and including four-(4) inch caliper size, and twelve (12) inches above the ground for larger sizes.

Certificate of occupancy: A permit issued by the Building Inspector indicating that the use of the building or land in question is in conformity with all relevant City of Dunwoody ordinances, or that there has been a legal variance there from as provided by one of the ordinances.

Certified Arborist: An individual who has been certified as an arborist by the International Society of Arboriculture and maintains said certification in good standing.

City Arborist: The Community Development Director or designee of the City of Dunwoody having primary enforcement responsibilities under this ordinance, and charged with the responsibility for approval of all landscape plans for land development in the City of Dunwoody required pursuant to this ordinance.

Diameter at breast height (DBH): A standard measure of tree size. The tree trunk diameter is measured in inches at a height of 4 1/2 feet above the ground. If a tree splits into multiple trunks below 4 1/2 feet, then the trunk is measured at its most narrow point beneath the split.

(p) Tree Preservation

(1) Intent and Purpose.

(A) Intent: The intent of this ordinance is to provide standards for the preservation of trees as part of the land development and building construction process for the purpose of making the City of Dunwoody a more attractive place to live, provide a healthy living environment, and to better maintain control of flooding, noise, glare, and soil erosion.

(B) Purpose:

(i) The purpose of this ordinance is to facilitate the preservation and/or replacement of trees as part of the land development, building construction process within the City of Dunwoody.

(ii) Benefits derived from tree protection and replanting include:

- a. Improved control of soil erosion;
- b. Moderation of storm water runoff, and improved water quality;
- c. Interception of airborne particulate matter, and the reduction of some air pollutants.
- d. Enhanced habitat for desirable wildlife;
- e. Reduction of noise and glare;
- f. Climate moderation and the reduction of the heat island effect;
- g. Aesthetics, scenic amenity;
- h. Increased property value; and
- i. Assistance in traffic calming.

(C) Definitions

All words used in this ordinance carry their customary dictionary meanings, except where specifically defined herein or in the Dunwoody Zoning Ordinance as amended.

Accessory structure: A structure, the use of which is customarily incidental and subordinate to that of the main building of the same lot, such as a guest house, toolshed, woodshed and the like.

Accessory use: A use customarily incidental and subordinate to the primary use of the main